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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,491	01/21/2004	Hidenori Maeda	040013	2924

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KRATZ, QUINTOS & HANSON, LLP
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EXAMINER

ABDI, AMARA

ART UNIT	PAPER NUMBER
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2624

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10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/760,491	Applicant(s) MAEDA, HIDENORI	
	Examiner Amara Abdi	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 21, 30, 41-45 and 48-53 is/are pending in the application.
- 4a) Of the above claim(s) 6-20, 22-29, 31-40, 46-47, and 54-64 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 21, 30, 41-45 and 48-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :01/21/2004
07/28/2005.

DETAILED ACTION

1. Applicant's election without traverse of Group I corresponding to claims 1-5,21,30,41-45, and 48-53 in the reply filed on 08/03/2007 is acknowledged.

Claims 6-20,22-29,31-40,46-47, and 54-64 are withdrawn from consideration.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. The claimed invention is directed to non-statutory subject matter. Claims 48-53 are rejected.

In claims 48-50, "a map information processing program executing a map information processing method" must be " a computer readable medium encoded with computer executable instructions for executing a map information processing method" in order to a statutory subject matter.

In claims 51-53, "a recording medium storing a map information processing program" must be " a computer readable medium storing a map information processing program" in order to be statutory subject matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 21, 41-45, and 48-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakano et al. (US 6,430,499).

(1) Regarding claim 1:

Nakano et al. disclose a cartographic information providing system for carrying out map display (column 1, line 10-11), comprising:

a current position information acquiring section that acquires a current position information for the current position (column 11, line 41-43, and line 47-48);

a matching data acquiring section that acquires a matching data including a plurality of point information that has a coordinates information and a unique point information and represents predetermined points, and a segment information that has a unique segment information and connects the pair of point information, and representing a road with the point information and the segment information (column 11, line 44-47), (it is read that the road network data includes a point information and segment information);

a correction section that corrects the current position information so that the current position is on the road represented by the point information and the segment information of the matching data (column 11, line 45-47); and

a display controller that displays the road based on the point information and the segment information of the matching data on the display and overlays the current position corrected by the correction section onto the displayed road on the display (column 12, line 11-13), (the display controller is read as the display device).

(2) Regarding claim 2:

Nakano et al. disclose a map information processing device (column 1, line 10-11), (the map information is read as cartographic information), comprising:

a display data acquiring section that acquires a display data including an element data for an element constituting a map of a predetermined area corresponding to the matching data (column 12, line 10-13),

wherein the display controller(column 17, line 53-55), (the display controller is read as the remote controller) displays an element of the map excluding the road displayed based on a road information based on the display data (column 12, line 56-60), (the excluding of the road network is read as the same concept as the excluding of the road displayed based on a road information).

(3) Regarding claim 3:

Nakano et al. disclose a map information-processing device (column 1, line 10-11), wherein the matching data has a plurality of matching mesh information divided into predetermined areas (column 13, line 11-17), (it is read that the nodes and links constructing meshes),

wherein the display data has a plurality of display mesh information divided into predetermined areas (column 13, line 48-50), (the displaying of nodes and links in the link table is read as the same concept as the displaying of plurality of display mesh information), and

wherein the display controller (column 17, line 53-55), (the display controller is read as the remote controller) displays the current position overlaid onto the map based

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on the matching mesh information including the point information and the segment information (column 12, line 10-13), each of which generates the road information representing the road on which the corrected current position is overlaid on the display (column 11, line 45-47), and displays the map for areas other than the areas represented by the matching mesh information based on the display mesh information (column 13, line 48-50).

(4) Regarding claim 4:

Nakano et al. disclose a map information-processing device (column 1, line 10-11), wherein the matching data has a line block information including an information for the road arrangement associated with the plurality of the segment information that represent one road (column 16, line 5-11), (the line block is read as the route guidance from the starting point to the destination), and

wherein the display controller (column 17, line 53-55), (the display controller is read as the remote controller) uses the information for the road arrangement in the line block information to display the road and displays the map on the display (column 13, line 48-50, and column 16, line 5-11).

(5) Regarding claim 5:

Nakano et al. disclose a map information-processing device (column 1, line 10-11), wherein the display controller generates a polyline connecting the point information (column 16, line 10-11), (the plurality of route guidance from the starting point to the destination is read as polyline connection), and displays the road based on the polyline on the display (column 12, line 10-13).

(6) Regarding claim 21:

Nakano et al. disclose a map information-processing system (column 1, line 10-11), comprising:

a terminal unit including a display for displaying a current position overlaid onto a map (column 12, line 11-13); and

a map information processing device, a map information processing device being connected to the terminal unit over a network in a manner capable of sending/receiving various information (Fig.10, column 21, line 65-67, and column 22, line 30-45).

the device, comprising:

a current position information acquiring section that acquires a current position information for the current position (column 11, line 41-43, and line 47-48);

a matching data acquiring section that acquires a matching data including a plurality of point information that has a coordinates information and a unique point information and represents predetermined points, and a segment information that has a unique segment information and connects the pair of point information, and representing a road with the point information and the segment information (column 11, line 44-47), (it is read that the road network data includes a point information and segment information);

a correction section that corrects the current position information so that the current position is on the road represented by the point information and the segment information of the matching data (column 11, line 45-47); and

a display controller (column 17, line 53-55), (the display controller is read as the remote controller) that displays the road based on the point information and the segment information of the matching data on the display and overlays the current position corrected by the correction section onto the displayed road on the display (column 12, line 10-13), (the display controller is read as a display device).

(7) Regarding claims 41, 48, and 51:

Nakano et al. disclose a map information-processing (column 1, line 10-11) method (column 9, line 5), and program (column 11, line 10-11), comprising:

acquiring a current position information for the current position (column 11, and line 47-48);

correcting the current position information so that the current position based on the acquired current position information is on a road represented by a point information and a segment information (column 11, line 45-47) of a matching data including the plurality of point information that has a coordinates information and a unique point information and represents predetermined points and a segment information that has a unique segment information and connects the pair of point information (column 11, line 44-47); and

displaying the road based on the point information and the segment information on the display to display the map on the display, and overlaying the current position corrected by the correction section onto the displayed road on the display (column 11, line 45-47, and column 13, line 48-50, and column 16, line 5-11).

(8) Regarding claims 42, 49, and 52:

Nakano et al. disclose a map information (column 1, line 10-11) processing method executed by a computing section (column 9, line 5), and program (column 11, line 10-11) for displaying a current position overlaid onto a map on a display of a terminal unit (column 11, line 41-43, and line 47-48) connected to a server unit that stores a map information (column 11, line 46-47) over a network (column 22, line 64-67) in a manner capable of sending/receiving various information (column 22, line 30-45),

the map information processing method executed by the computing section, comprising the steps of:

generating a current position information for a current position at the terminal unit (column 11, line 20, and line 47-48);

acquiring the current position information at the server unit from the terminal unit over the network (column 11, line 47-48);

correcting the current position information at the server unit so that the current position is on a road represented by a point information and a segment information (column 11, line 45-47) of a matching data of the map information including the plurality of point information that has a coordinates information and a unique point information and represents predetermined points and a segment information that has a unique segment information and connects the pair of point information (column 11, line 44-47); and;

acquiring the corrected current position information and the matching data at the terminal unit from the server unit over the network (column 11, line 45-47); and

displaying the represented road based on the point information and the segment information of the acquired matching data on the display of the terminal unit, and overlaying the acquired and corrected current position information onto the displayed road on the display(column 11, line 45-47, and column 13, line 48-50, and column 16, line 5-11).

(9) Regarding claims 43,50, and 53:

Nakano et al. disclose a map information (column 11, line 29-30) processing method executed by a computing section (column 9, line 5), and program (column 11, line 10-11) for displaying a current position overlaid onto a map on a display of a terminal unit (column 11, line 41-43, and line 47-48) connected to a server unit that stores a map information (column 11, line 46-47) over a network (column 22, line 64-67) in a manner capable of sending/receiving various information (column 22, line 30-45),

the map information processing method executed by the computing section, comprising the steps of:

generating a current position information for a current position at the terminal unit(column 11, line 20, and line 47-48);

acquiring a matching data (column 11, line 44-45) of the map information including a plurality of point information that has a coordinates information and a unique point information and represents predetermined points (column 16, line 10-11), and a segment information that has a unique segment information and connects the pair of point information (column 13, line 17), (the links are read as segment information), and representing a road with the point information and the segment information (column 13,

line 15-18),(the connection among the links and nodes is read as the road with a point and segment information), at the terminal unit from the server unit over the network (column 11, line 45-47);

correcting the current position information so that the current position is on the road represented by the point information and the segment information of the acquired matching data at the terminal unit (column 11, line 45-47); and

displaying the road based on the point information and the segment information of the matching data on the display and overlaying the corrected current position information onto the displayed road on the display (column 11, line 45-47, and column 13, line 48-50, and column 16, line 5-11).

(10) Regarding claim 44:

Nakano et al. disclose a map information method (column 11, line 29-30), where the map information has the matching data (column 12, line 44-45) including the plurality of point information that has the coordinates information and the unique point information and represents the predetermined points (column 16, line 10-11), and the segment information that has the unique segment information and connects the pair of point information (column 13, line 17), (the links are read as segment information), and representing the road with the point information and the segment information (column 13, line 15-18),(the connection among the links is read as the road with a point and segment information) and a display data including an element data for an element constituting the map of a predetermined area (column 12, line 10-13) corresponding to the matching data (column 12, line 44-45),

the map information processing method (column 11, line 29-30) executed by the computing section, comprising the steps of:

recognizing a request information for requesting the distribution of at least one of the matching data and the display data (column 20, line 12-15); and

distributing at least one of the matching data and the display data over the network based on the recognized request information (column 20, line 11-19).

(11) Regarding claim 45:

Nakano et al. disclose a map information method (column 11, line 29-30), where the map information has the matching data (column 12, line 44-45) including the plurality of point information that has the coordinates information and the unique point information and represents the predetermined points (column 16, line 10-11), the segment information that has the unique segment information and connects the pair of point information (column 13, line 17), (the links are read as segment information, representing the road with the point information and the segment information), and including a plurality of matching mesh information divided into predetermined areas (column 13, line 15-17), (the connection among the nodes and links is read as a plurality mesh), and a display data including an element data for an element constituting the map of a predetermined area (column 12, line 10-13) corresponding to the matching data (column 12, line 44-45),

the map information processing method (column 11, line 29-30) executed by the computing section, comprising the steps of:

acquiring a current position information for a current position (column 11, line 47-48) of the movable body and a destination information for a destination to which the movable body travels (column 16, line 48), (the movable terminals are read as movable body);

searching a travel route on which the movable body travels (column 16, line 46-48) with use of the matching data (column 11, line 44-45) based on the current position information and the destination information (column 16, line 10-11); and

distributing a matching mesh information including the point information and the segment information that represent the road corresponding to the searched travel route (column 20, line 11-16) and a display mesh information corresponding to an area other than the area represented by the matching mesh information together with information for the travel route (column 12, line 11-13) over the network (column 21, line 65-67).

6. Claim 30 is rejected under 35 U.S.C. 102(b) as being anticipated by Ichikawa (US 6,351,707).

Ichikawa discloses an image information processing system (column 2, line 17-22), comprising:

a map information acquiring section that acquires at least a point information out of a map information from a recording medium that stores the map information (column 8, line 6-7) including a plurality of point information that has a coordinates information and a unique point information and represents predetermined points (column 4, line 30-32), and a segment information that has a unique segment information and connects

the pair of point information (column 4, line 55-58), (the segment information is read as link), and representing a road with the point information and the segment information (column 4, line 30-32, and line 55-57), the point information further having a flag information that shows a relation of the point information with other point information according to the determination whether the represented points are identical or not and represents the road arrangement (column 5, line 11-16); and

a coordinates matching section that recognizes the relation of the point information with other point information based on the flag information of the point information acquired by the map information acquiring section and recognizes the road arrangement (column 7, line 36-45),

the system, further comprising:

a terminal unit that acquires the road arrangement recognized by the map information processing device over a network (column 8, line 6-10).

Contact Information:

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nomura (US 6,128,573) discloses a Map database apparatus, and Yagyu et al. (US 6,014,607) disclose a method and apparatus for searching a route.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571) 270-

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1670. The examiner can normally be reached on Monday through Friday 7:30 Am to 5:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wu Jingge can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amara Abdi
10/04/2007



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